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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/605,892	11/04/2003	Chao-Kang Li	AOIP0008USA	2891
27765	7590	01/24/2006	EXAMINER	
NORTH AMERICA INTELLECTUAL PROPERTY CORPORATION P.O. BOX 506 MERRIFIELD, VA 22116			HAWK, NOAH CHANDLER	
			ART UNIT	PAPER NUMBER
			3637	

DATE MAILED: 01/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/605,892	LI, CHAO-KANG	
	Examiner	Art Unit	
	Noah C. Hawk	3637	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) 3 and 11 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-10,12-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1, 2, 4-8 and 17 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential elements, such omission amounting to a gap between the elements. See MPEP § 2172.01. The omitted elements are as follows:
Claim 1 recites "a frame" but does not recite a pair of frames, a second frame or that the frame has two sides. The Office interprets the claim to mean that the frame has a single side, which would not be sufficient to support a storage device inside a casing.
3. Claims 1, 2, 4-10 and 12-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1 and 9 recite the element "a second hook" prior to reciting a first hook which renders the claims indefinite. The applicant must recite "numbered" elements in numerical order and in accordance with the disclosure (i.e. the second hooks may not be simply renamed first hooks and vice versa). Claims 1 and 9 recite that the sliding portion is "capable of linearly sliding on the fastening base." This is indefinite because although the sliding portion may be capable of sliding linearly, it does not necessarily have to in order for the device to function.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 2, 4, 7, 9, 10, 12, 15, 17, and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Le et al. in US Patent 6293636.

6. Regarding Claim 1, Le et al. teach a storage device fastening apparatus, the storage device having a plurality of first holes (138), the apparatus comprising a frame (102) installed inside a casing (152) with a plurality of second holes (140), a second hook (182) located on the side of the frame not facing the storage device, a fastening base (194) detachably installed on the frame having a plurality of bumps (198) formed at positions corresponding to the second holes for penetrating through the second holes and into the first holes and a sliding portion (200) movably installed on the fastening base having a first hook (208) wherein the sliding portion is capable of linearly sliding on the fastening base between a first position and a second position so that the first hook is separated from the second hook in the first position and the first hook and the second hook are fastened to each other in the second position (see Le et al., column 8, lines 15-19).

7. Regarding Claim 9, Le et al. further teach a storage device fastening apparatus, the storage device having two sides with a plurality of first holes (138) on each side, the apparatus comprising a first frame (128) with at least a first loading portion (best seen in

Art Unit: 3637

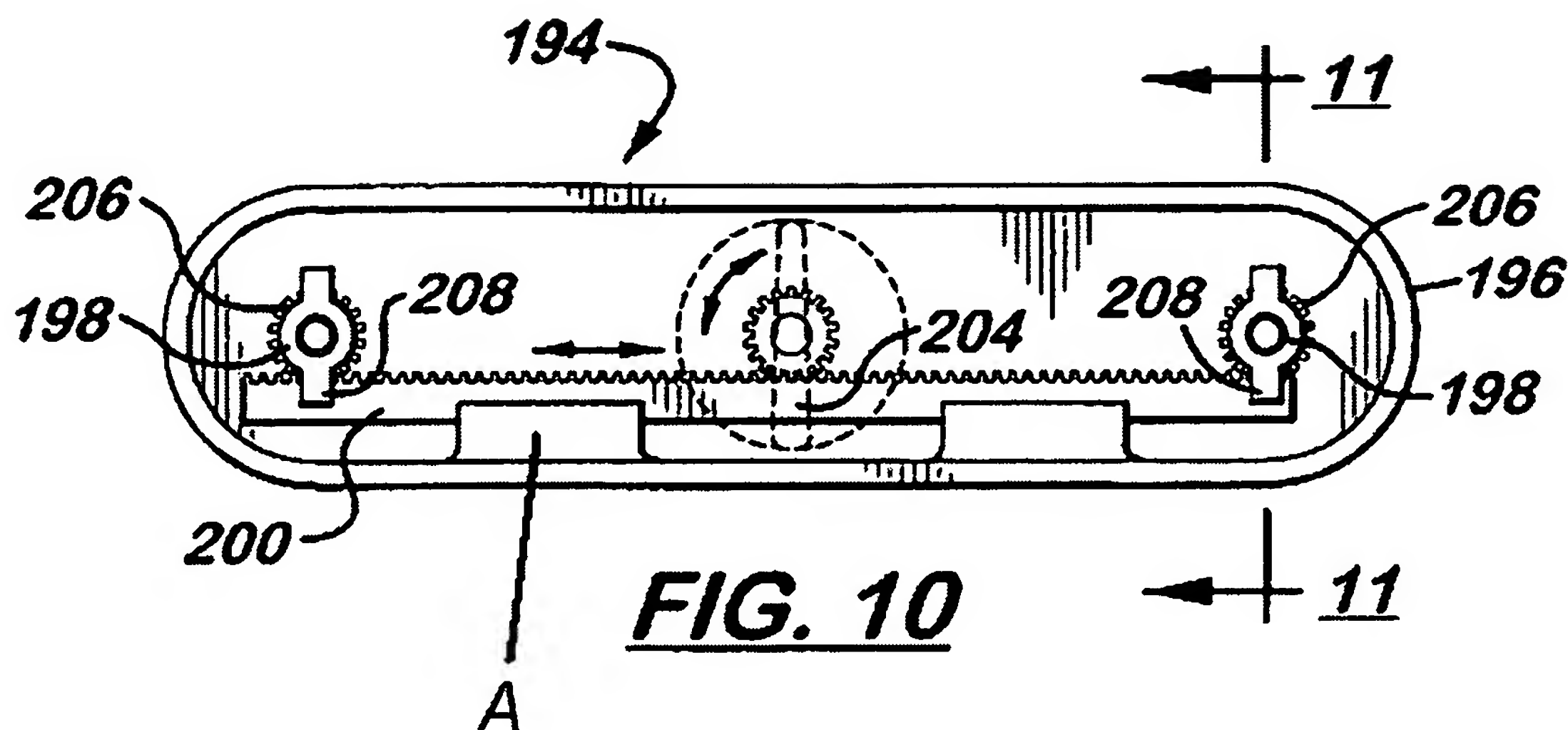
Figure 3, 136) and a plurality of first elastic bodies with bumps (see Le et al., column 5, lines 5-12) corresponding to a first hole on one side of the storage device.

8. Regarding Claims 2 and 10, Le et al. further teach a frame (126) comprising at least a loading portion (best seen in Figure 9, 136) on the side of the frame facing the storage device for loading the storage device.

9. Regarding Claims 4 and 12, Le et al. further teach a sliding portion having a first track (200) and a fastening base (194) having a second track (A) corresponding to the first track so that the sliding portion moves with respect to the fastening base along the first and second tracks between the first and second positions.

10. Regarding Claims 7 and 15, Le et al. further teach a fastening base (194) with a first stop block and second stop block (180) on the fastening base for preventing the sliding portion from detaching from the fastening base during linear movement (see Le et al., column 7, lines 29-32).

11. Regarding Claims 17 and 18, Le et al. further teach that the fastening base (194) has an opening (the opening comprising the concave space defined by exterior wall 196 on the side of the fastening base with first track 200).



Le et al. Figure 10

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 5 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Le et al. as applied to claims 1 and 9 above, and further in view of Feder in US patent 4114000. Le et al. do not disclose a fastening base with a sliding positioning bump or a sliding portion with a first or second positioning hole. Feder discloses a fastening base (47) with an elastic body (44) with a sliding positioning bump (51a) and a sliding portion (55) with a first positioning hole (58) and a second positioning hole (59). It would have been obvious to one of ordinary skill in the art at the time of invention to modify the

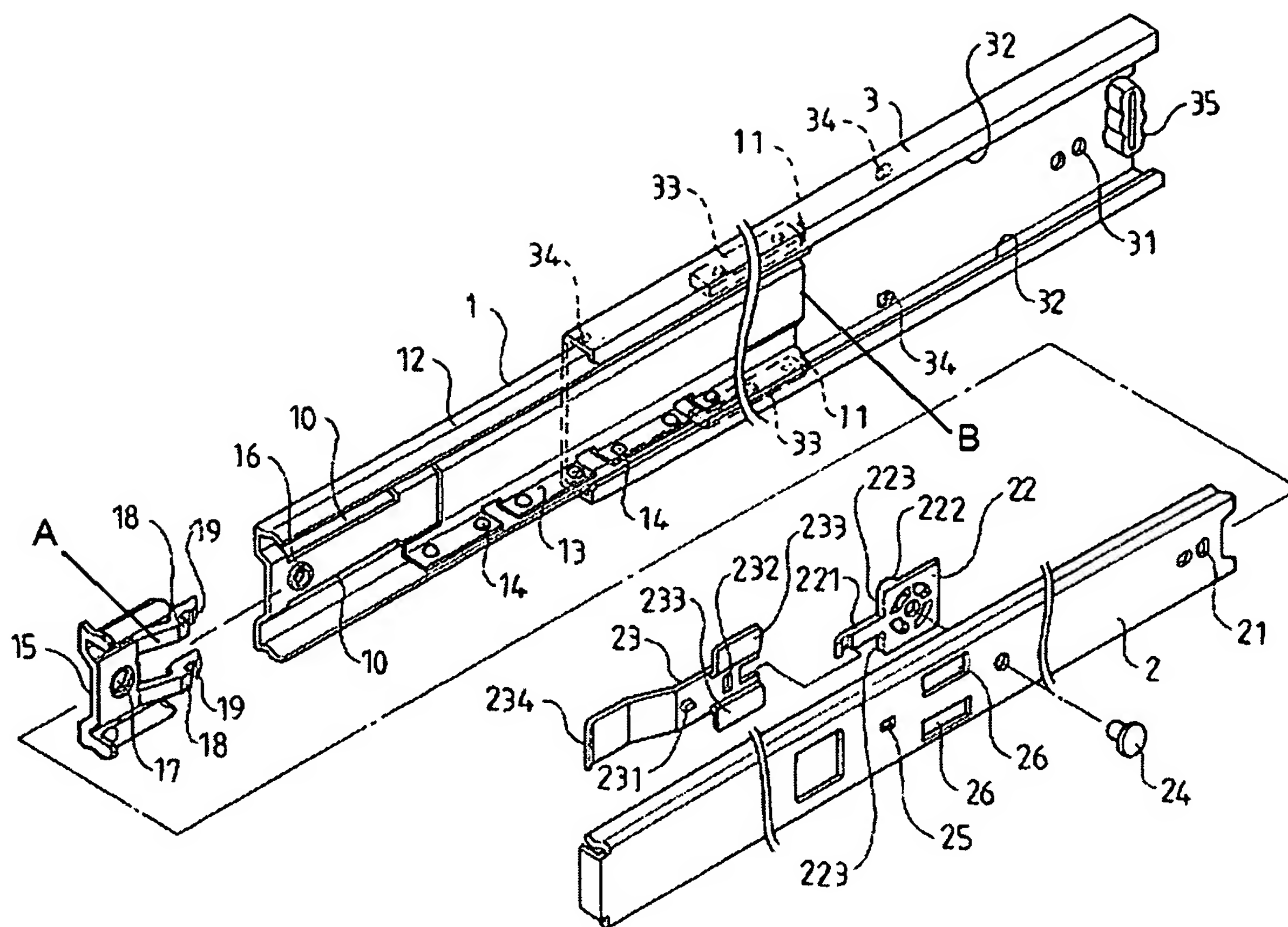
Art Unit: 3637

device of Le et al. by using a fastening base with a sliding positioning bump and a sliding portion with two positioning holes as taught by Feder in order to provide another means of holding the sliding portion in position.

14. Claims 6, 8, 14 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Le et al. as applied to claims 1, 7, 9 and 15 above, and further in view of Chen et al. in US patent 6390575.

a. Regarding Claims 6 and 14, Le et al. do not disclose a first assembly error prevention assembly or a second assembly error prevention structure. Chen et al. disclose a sliding device with a sliding portion (1) having a first assembly error prevention device (B) attached to a fastening base (3) with a second assembly error prevention device (35). It would have been obvious to one of ordinary skill in the art at the time of invention to modify Le et al's storage device fastening apparatus by using first and second assembly error prevention devices as taught by Chen et al. in order to prevent assembly error.

b. Regarding Claims 8 and 16, Le et al. do not disclose a first stop block with an inclined surface. Chen et al. disclose a sliding device with a stop block (15) having an inclined surface (A). It would have been obvious to one of ordinary skill in the art at the time of invention to modify Le et al's storage device fastening apparatus by using a stop block with an inclined surface as taught by Chen et al. in order to assist in the assembly of the sliding portion with the fastening base.



Chen et al. Figure 1

Response to Arguments

15. Applicant's arguments filed 11/23/05 have been fully considered but they are not persuasive.

16. Regarding Applicant's argument that the sliding portion of Le et al. does not move in a linear path, the applicant is directed to the above rejection to the claims where the linear movement of the sliding portion is included.

17. Regarding Applicant's argument that the fastening base does not comprise an opening, the applicant is directed to the rejection for claims 17 and 18 above.

Conclusion

18. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ericks et al. disclose a sliding storage device retention system.

19. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Noah C. Hawk whose telephone number is 571-272-1480. The examiner can normally be reached on M-F 9am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on 571-272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3637

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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TECHNOLOGY CENTER 3600

